IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE

Criminal Writ Petition no.378 of 2007

Chaudhary Abdul Majid Shahadat .....Petitioner
Vs.
Aftab Ahmed Mohd. Rafi Qazi & anr.
& State of Maharashtra .....Respondents

Mr. Jayesh Bhat for Petitioners
Ms. S.V.Gajre , APP for Respondent no. 2

Coram:- J.H. BHATIA, J
18th April, 2007.

P.C.

Heard Mr. Jayesh Bhat, Learned counsel for the Petitioner and Ms. Gajre Learned APP for Respondent no. 2. Perused the impugned orders passed by the Metropolitan Magistrate on 26-7-2006 discharging the accused and also the order passed by the 8th Ad-Hock Sessions Judge, Bombay rejecting the revision application filed by the present Petitioner.

2. It is the case of the Petitioner that on an order placed by the respondents, he had supplied certain goods to the Respondent no. 1 but it failed to make payment as per the agreement. Therefore, he filed the complaint under section 420 of IPC. The evidence of the Complainant' Petitioner was recorded before framing of charge. After recording the

evidence and in view of certain admissions made by the Petitioner, the Learned Magistrate came to conclusion that there are no documents showing that an order was placed and goods were delivered. No bill was prepared. Taking into consideration these circumstances and fact that it appears to be a civil dispute between the parties about the payment of price of the goods sold, I find no fault in the order of discharge. The writ petition stands dismissed summarily.

(J.H. Bhatia, J)